

ADULT SOCIAL CARE ANNUAL COMPLAINTS REPORT

2020-2021



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85 Statutory Complaints Received



19% Upheld

49% Not Upheld

32% Partially Upheld



52% Relate to Care and Assessment Teams

16% Relate to Home Care Providers



32% About Service Quality

22% About Service Failure



233 Members Enquiries Received



1 Local Government and Social Care Ombudsman Investigation Completed

About this report

This report provides an overview of complaints, compliments and investigations between April 2020 and March 2021. The report highlights how various services within Adult Social Care (ASC) have performed in line with key principles outlined in the Local Authority Social Services and National Health Complaints (England) Regulations 2009 and the complaints process.

About the process

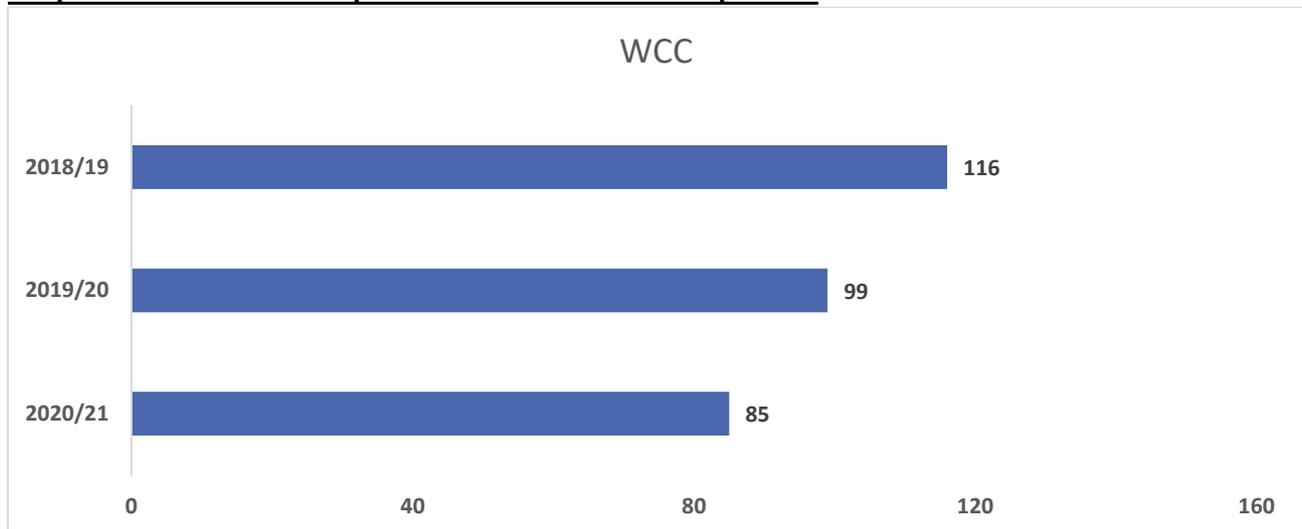
Our process for statutory complaints is in line with the Department of Health and Care's legislation and guidance. This is a one stage process. All complaints are logged and acknowledged by the Customer Engagement Team (CE Team) within 3 working days. The Council will try to resolve the complaint as soon as possible, and no later than within 10 working days. If more time is required, this is agreed with the complainant.

Anyone who has received a service, is currently receiving a service, or is seeking a service from us can make a statutory complaint. This includes anyone who is affected by decisions we may make about social care, including a service provided by an external provider acting on behalf of the Council. We will conduct a thorough and fair investigation into the concerns raised and provide a comprehensive written response with clear findings and recommendations. We will also set out the complainants right to escalate to the Local Government and Social Care Ombudsman (LGSCO) should they remain dissatisfied with our response.

Volume of complaints

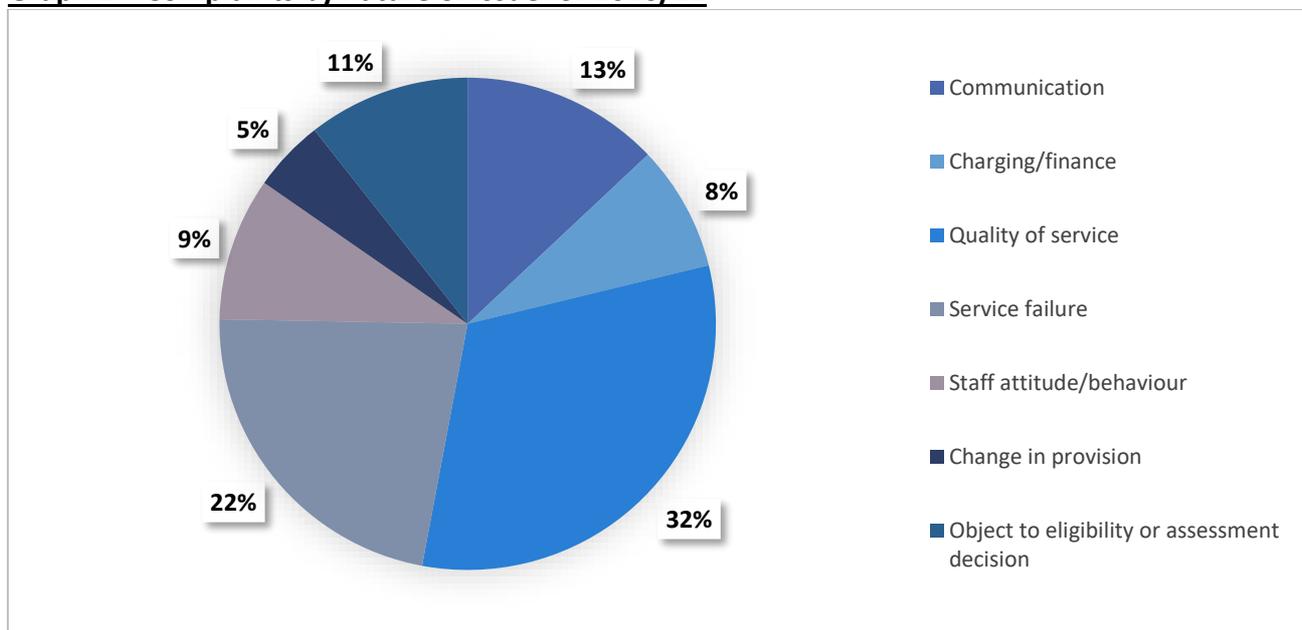
The CE Team recorded and investigated 85 complaints in 2020/21. This number is slightly lower than last year's figure. The number of complaints has been falling consistently over the last three years due to the proactive and collaborative work that we are doing with the service users and teams.

Graph 1 – Number of complaints received over last 3 periods



Nature of issue

Graph 2 – Complaints by nature of issue for 2020/21



Of the complaints received, 32% related to quality of service and 22% to an allegation of service failure. Quality of service can refer to many things, in terms of home care it can mean lack of cleanliness, inconsistency in carers, not completing care tasks and/or to a good standard, loss/breakage of items to name a few. Staff attitude (9%) are allegations about the way staff have dealt with an assessment or how homecare staff have conducted themselves whilst providing care. 11% of the complainants raised concerns about the assessment or its outcome not being implemented and 13% about the way we communicated with residents.

Complaints activity by team

Majority of the complaints (52%) in 2020/21 were about assessment and care services. The nature of these complaints relates to service failure, objection to eligibility or assessment decision or the quality of service that has been offered.

This year 16% of complaints in WCC were about homecare services. Most homecare complaints have been about the quality of service or service failure. We are committed to work with providers and the Contract Monitoring Team to ensure issues are identified and dealt with in line with contractual arrangements and the guidelines issued by the Local Government and Social Care Ombudsman.

The complaints that are made to the Council are investigated and resolved in line with statutory guidance. These are separate to the complaints received directly by the provider and resolved under a Care Quality Commission (CQC) compliant process directly by these organisations. The LGSCO advises that it is the responsibility of the Local Authority to ensure there is oversight on such complaints as well as those made directly to us. We work in partnership with the providers to investigate these complaints and ensure that action is taken to resolve the complaint and prevent recurrence of the issue.

In line with the LGSCO's categorisation we have tabulated all the complaints we have received in 2020/21 in the table on the next page.

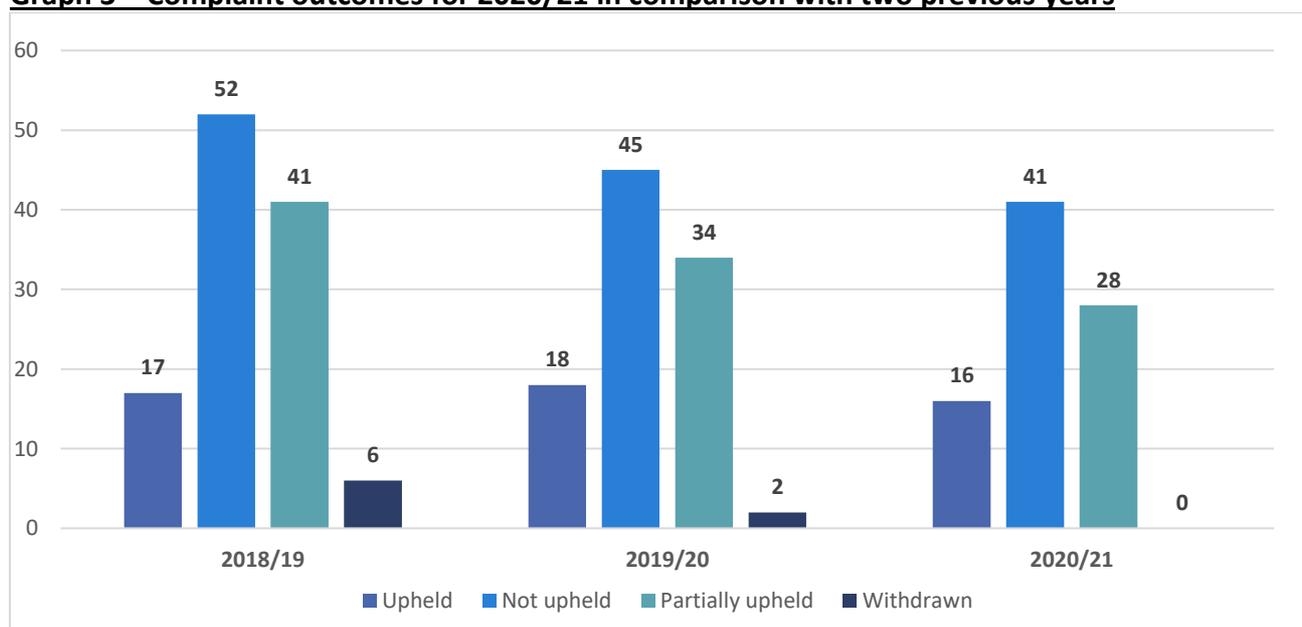
Table 1 – Number complaints by the LGSCO breakdown in 2020/21

	Area	Total no of complaints	LGSCO cases
Arranging Social Care	Assessment & care planning	44 (38 complex care and 6 LD)	1
	Charging/Finance	6	0
	Hospital SW Team	2	0
	Mental Health	8	0
	Older People’s MH	2	0
	DFG/OT	1	0
Providing Social Care	Residential Care	2	0
	Homecare	14	0
	Reablement & Medequip	1	0
	Other	5	0

Outcomes

The graph below shows the outcomes of all complaints made to ASC, and comparisons with the previous two years. Just over half of the complaints received have been either fully or partly upheld. Most of the complaints that were upheld were in relation to the quality of service or staff attitude and were related to external providers commissioned by the Council. Where the complaint has been upheld, we (or our commissioned partners) have offered an apology for things that have gone wrong, with a commitment to improve the service, explained clearly reasons for delay and addressed ineffective communication if that was identified as an issue.

Graph 3 – Complaint outcomes for 2020/21 in comparison with two previous years



The Department of Health’s regulations on statutory complaints stipulate that the method and timeframe for responding must be commensurate to the seriousness of the complaint and completed

within 6 months. We always seek to resolve the complaint as soon as possible, and in the absence of a prescribed timescale use an internal timescale of **10 working days**, in consultation with the complainant.

65% of the complaints were responded to within 10 working days. A further 28% needed an additional 10 working days and only 7% took more than 20 working days to complete. This is a substantial improvement on the previous year.

We always aim to investigate and resolve complaints as quickly as possible however, some delays are unavoidable and reasons for this include;

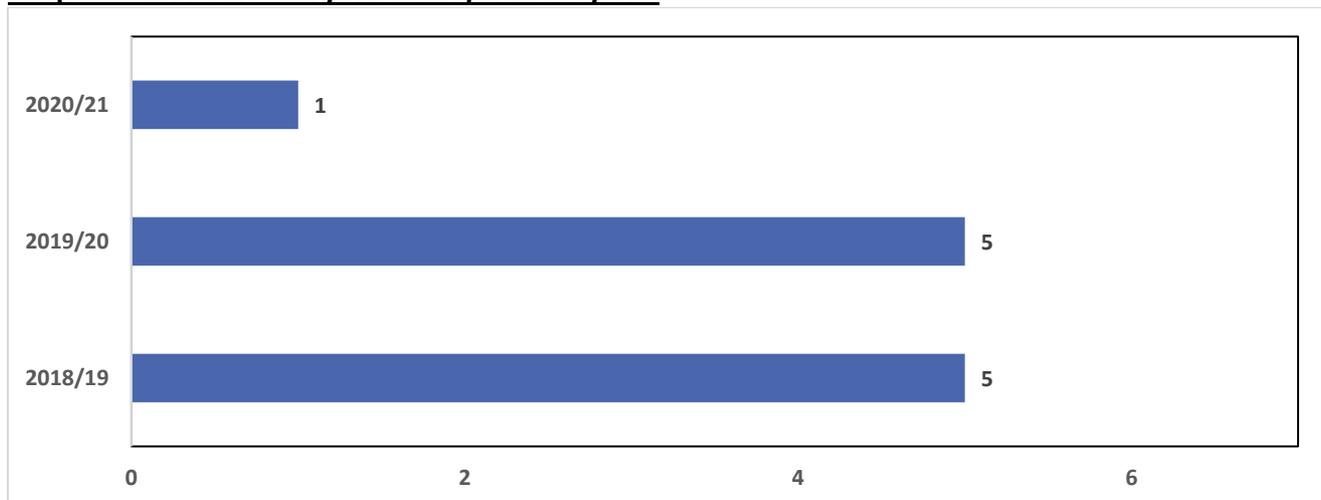
- Complexity of the case.
- Co-managed cases i.e. with health partners, commissioned providers etc.
- Provision of supplementary/additional response
- Availability of key staff to participate in the investigation.

When it has not been possible to meet the timescale the complainant is kept up to date with the progress of the investigation and advised of revised timescales.

Local Government and Social Care Ombudsman (LGSCO) activity

The LGSCO only referred one case to the Council for investigation this year. The case was about care and assessment services.

Graph 4 – LGSCO activity over the previous years



The number of cases sent to WCC for investigation this year is very low compared to previous years. This is partially because during the first lockdown the LGSCO suspended its operations between March and July 2020 and also due to our proactive approach in trying to provide a resolution to complaints before they are escalated to the LGSCO. Upon restarting operations in July, they were dealing with a backlog of cases and investigation outcomes.

We received the outcome of some of the cases that remained open from the previous year. One of these complaints was upheld and was given public report status. All recommendations were completed and met to the LGSCO's and complainant's satisfaction.

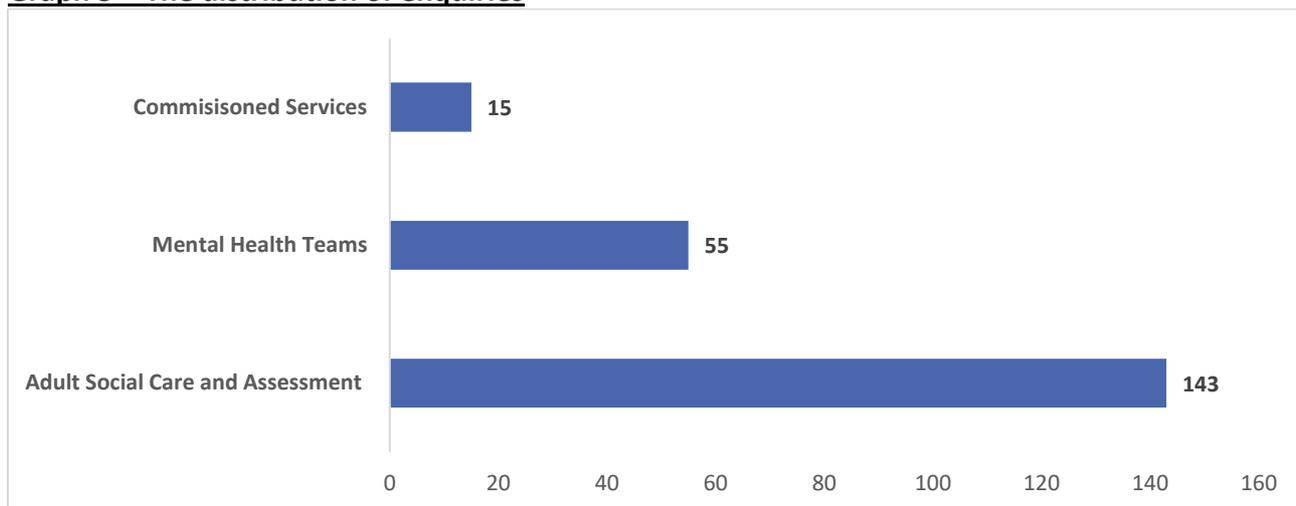
The investigation pertaining to the current year was about a Direct Payment (DP) plan that had been stopped as there was lack of evidence as to how the DP was being used. Before the LGSCO completed its investigation, the Department found that there had been some oversights and as a result

overtured the decision and took action to remedy the issues. The LGSCO accepted and supported the councils resolutions.

Member enquiries

Member enquiries are defined as enquiries received from Elected Members of the Council or Members of Parliament acting on behalf of their constituents. The CE Team facilitated 233 Member Enquiries in 2020/21. A significant proportion of the enquiries have been on behalf of constituents and in relation to either a request for care and support or about existing arrangements within Adult Social Care and Mental Health Teams. The graph below shows these enquiries by service area.

Graph 5 – The distribution of enquiries

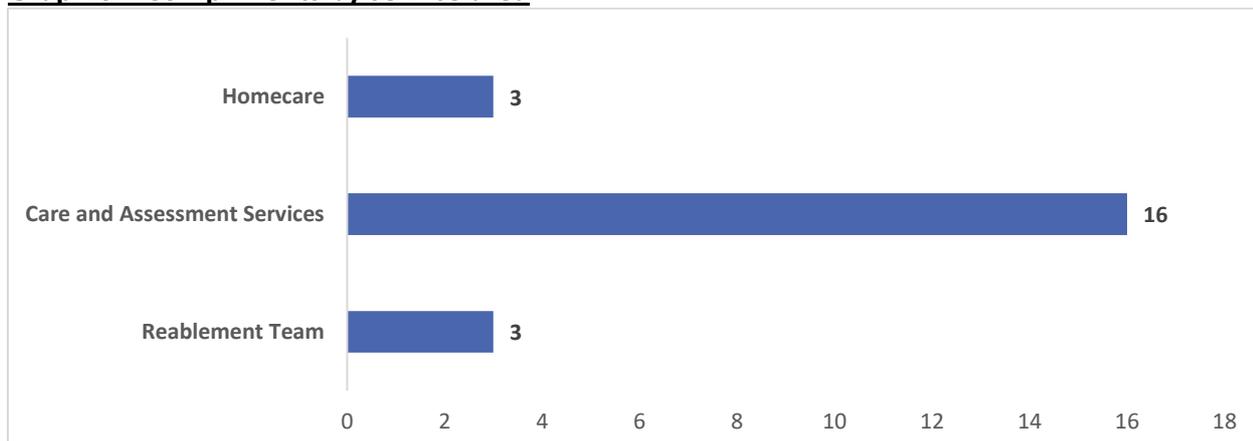


95% of enquiries were responded to within the agreed Council wide 5 working day timescale, which is an 5% improvement on the previous year. In some cases, where the issue being raised is complex, requires consent or involves input from a different Department the response may take longer to complete. In such cases elected members are advised of the delay and provided an expected date for response. The teams are committed to working together to ensure that there is one cohesive response for the resident.

Compliments

Customers and their representatives are encouraged to tell the Council if they are happy with their care or to highlight a good service. They can complete a feedback form as well as contact the relevant social care team to express this. 22 compliments were recorded this year for WCC.

Graph 6 – Compliments by service area



Below are a few examples of what our service users and/or their relatives have shared with us in terms of their positive experience about the service they receive.

From a service user about a member of the North Complex Team; The service user spoke highly of members of staff that had recently dealt with her issues on duty and she conveyed that ‘they had time to listen to me and the experience was really positive’.

From a service user who received Reablement Service; ‘Thank you and your staff for your great kindness in looking after me, for providing the alarm system, the new banister rail, the pieces of equipment, and the carers service. You have been most kind and helpful. And thank you for arranging the financial aspect. Everything has been most useful, and has turned out well.

From a service that had an interaction with I&A Team; ‘I can’t praise you enough for all your inputs and most importantly your compassion and understanding to support such vulnerable families. I have been in touch with several agencies, individuals and departments – most of them explaining to me the procedures, systems and constraints. Your call and your email is certainly a breath of fresh air and it is so very encouraging to note that the social workers are not all “case” orientated people and that you actually value your clients and treat them with dignity and care.’

Learning from complaints

Learning from complaints provides opportunities for services to be shaped by customer experience. Staff and managers responding to complaints are required to identify learning’s that can lead to service improvement and Learning Outcome Action plans are completed for the more complex complaints received. Lessons learnt, actions and the themes drawn from complaints are presented regularly for discussion and challenge at meetings with Heads of Service and Operational Teams to improve the quality of social care practice.

Our organisational and departmental aim is to improve services through complaints and some instances are shared below;

You complained:

about the quality of communication about your family members’ care package being transferred to a different provider and how this caused the family frustration and disappointment.

We:

Investigated this carefully and realised that communication had been unsuccessful and the way the package was transferred was not in line with our normal practice. We investigated this with the care provider after meeting with you and have put better systems in place to monitor and review the reasons for transfers as well as making sure this is appropriately communicated.

You complained:

that you felt pressured to into making a decision about respite care and that your family was not consulted properly.

We:

conducted an internal investigation and partly upheld your complaint. We advised you that the short notice was as a result of initial limited spaces due to the pandemic suddenly becoming available. Any lack of consultation was unintentional and as a result of this complaint and your feedback rapport was built and developed between you, the family and the social worker which has been key in getting you the right care and support.

You complained:

that the department did not get in touch with you appropriately and promptly when there were urgent concerns about your family member's welfare. You found this distressing and unprofessional.

We:

investigated this with a number of teams that were involved with your relative's case at the time. Due to records being made on two different systems, the investigation took longer than required, however our investigation did show that the worker did not provide you with clear details about their role and responsibilities hence resulting in distress for you. We have passed this feedback onto the Team Manager where a reminder has been issued to all staff to ensure that clear details about actions taken or next steps are provided and if in doubt matters should be escalated to the manager for action/advice.

You complained:

that you were concerned about your relative's homecare and reported that for double up visits both carers were not arriving at the same time to provide the care.

We:

worked with the provider to establish the facts and explore why the care was not being delivered as expected. The agency advised that they had some rota issues and apologised to you that the carers were unable to keep time for their visits. These issues have been resolved and care was resumed effectively.

Future development work for 21/22

In 21/22 we will be making further developments in the following areas;

- Developing the work we do with all our partner providers to ensure there is effective handling of complaints including organising complaints handling and investigation training for them in line with the Ombudsman's guidance on third party complaints.
- Continue to work with social care managers and commissioning teams to improve access to the complaints process, improve complaints investigations and responses as well as implementing learning outcomes consistently.
- Undertaking service user consultation activity on behalf of the Department where services are being transformed.
- Working with our Principal Social Worker and Learning and Development Team to develop and provide effective training on complaints resolution and dealing with difficult customers.

Final comments

We hope you have found our report informative. Please contact us if you have any further questions or suggestions about this report.

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